

### III. REMARKS

Claims 1-2, 4-11, 14, 16-23, and 25-31 are pending in this application. Claim 11 has been amended, claim 12 has been cancelled, and claims 1, 4, 18, 25-26, and 31 have also been amended to provide improved clarity. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1, 2, and 4-10 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Specifically, the Office alleges that the claims set forth a system comprising a plurality of sub-systems, which are “viewed as being directed to a program or its executable result, *per se*,” and “accordingly, the system is viewed as a program or its executable result, *per se*.” (Office Action, p. 3 (citing MPEP § 2106).) With respect to claim 1, Applicants respectfully assert that the system of claim 1 constitutes statutory subject matter. Applicants submit that the claimed invention can most accurately be characterized as a single, unified “system for exchanging automotive information between at least two automotive trading partners engaged in an automotive transaction” (claim 1; *see* Figs. 2 and 4 (showing the relationships between a plurality of trading partners and the communication system)), rather than a plurality of sub-systems. Referring to Fig. 2, in the claimed invention, any first trading partner (which may be an automotive manufacturer, an automotive parts locator, an automotive parts supplier, an automotive lending provider, a credit reporter, a motor vehicle department, an automotive insurance provider, or an automotive consumer facilitator (claim 7)) may send a transaction element via communication system 24 to any specified intended trading

partner (which may be any other partner listed in claim 7). The translation system which comprises the system in part (*see* claim 1, lines 3-8) translates a transaction element from the first trading partner's proprietary schema to a universal schema and then into the specific intended second trading partner's schema. This places all trading partners in equally situated positions with respect to ability to access and use communication system 24 to communicate with any other trading partner involved in a similar or disparate aspect of automotive transactions. This ability to consolidate the communication between the trading partners of claim 7 into a single system despite the partners' use of different applications (*see* claim 8, 9) and schemas (*see* claim 10) is at the heart of the practical application of the invention. To this extent, Applicant submits that the claimed invention has a practical application within the technological arts, to wit, enabling communication between a plurality of trading partners each using a different proprietary schema, by translating transaction elements from the sender's proprietary schema to a universal schema to the intended recipient's proprietary schema. The system's usefulness is clearly demonstrated by the system's ability to efficiently coordinate automotive transaction communications that previously occurred via a litany of disjointed communication systems and manual processes. Accordingly, Applicants respectfully request that the rejection be removed.

With respect to claims 2 and 4-10, Applicants herein incorporate the arguments presented above with respect to claim 1 from which claims 2 and 4-10 depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

In the Office Action, claims 1, 2, 4-10, 18-23, and 25-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Harnlin (U.S. Patent No. 6,310,888 B1) in view of Burks et al.

(U.S. Patent No. 5,644,778). Applicants submit that Hamlin and Burks do not teach each and every feature of the claimed invention, and therefore the claimed invention is not rendered obvious.

With respect to claim 1, Applicants respectfully submit that neither Hamlin nor Burks teaches, among other features, “a system for exchanging automotive information between at least two automotive trading partners engaged in an automotive transaction, comprising: [inter alia,] a translation system for translating a transaction element sent from a first trading partner *intended for a second trading partner specified by the first trading partner*” (claim 1 (emphasis added)). In other words, the claimed invention includes, among other features, the ability of the first trading partner to affirmatively specify a second trading partner who will be the intended recipient of the transaction element being sent. In contrast, Hamlin includes an outbound broker process which performs a routing function prior to transmission (Col. 4, Lines 28), which replaces the intended selection of a second trading partner by a first trading partner with a process which automatically assigns a recipient or a plurality of recipients. The routing function works by determining “the data type of data to be transmitted,” and identifying “one or more destination processes for the data ... from a list in a configuration database that is accessible to the outbound broker process.” (Col. 4, Lines 34-38.) The identification may be done by determining “which destination processes listed in the database are indicated as receiving data of the determined data type and/or data from the source application process associated with this outbound broker process.” (Col. 4, 38-43.) “This routing function eliminates any need for a transmitting application process to identify a destination process for to-be-transmitted data.” (Col. 4, Lines 29-31.) Accordingly, Applicants submit that Hamlin fails to disclose the claimed invention including the feature of “a translation system for translating a transaction element sent

from a first trading partner *intended for a second trading partner specified by the first trading partner*" (claim 1 (emphasis added)).

Additionally, Applicants submit that Hamlin's "outbound broker process" mechanism for assigning a recipient of transmitted data teaches away from the claimed invention. The transmission of data between applications under Hamlin is accomplished automatically, according to a "destination process" (Col. 4, Line 36). Not only does it "eliminate[] any need for a transmitting application process to identify a destination process for to-be-transmitted data" (col. 4, lines 29-31) as indicated above, but it actually renders it impossible to specify a given receiving second trading partner. This routing mechanism is inconsistent with, and contrary to, the object of the claimed invention.

Burks fails to disclose or suggest any system for exchanging automotive information between at least two automotive trading partners engaged in an automotive transaction, comprising, *inter alia*, a translation system for translating a transaction element sent from a first trading partner intended for a second trading partner specified by the first trading partner. Accordingly, Applicants submit that there is no suggestion or motivation to combine the above cited references with respect to claim 1, and that even if a skilled artisan did combine the teachings of Hamlin and Burks, the claimed invention would not be obvious. Therefore, Applicants respectfully request withdrawal of the rejection.

With respect to claims 2 and 4-10, Applicants herein incorporate the arguments presented above with respect to claim 1 from which claims 2 and 4-10 depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

With respect to the rejections of independent claims 18 and 26, Applicants note that each claim includes features similar in scope to those already addressed above with respect to claim 1. Further, the Office relies on the same arguments and interpretations of Hamlin and Burks as discussed above with respect to claim 1. To this extent, Applicants herein incorporate the arguments presented above with respect to claim 1, and respectfully request withdrawal of the rejections of these claims for the above-stated reasons.

With respect to claims 19-23, 25, and 27-31, Applicants herein incorporate the arguments presented above with respect to claims 18 and 26 from which claims 19-23, 25 and 27-31 depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

In the Office Action, claims 11, 14, 16, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamlin (U.S. Patent No. 6,310,888 B1) in view of "EDI—the granddaddy of electronic commerce," 17 BT TECHNOL. J. 17-23 (hereinafter, "EDI") and Burks et al. (U.S. Patent No. 5, 644,778). Accordingly, Applicants have herein amended claim 11 to recite a method for exchanging automotive information between at least two automotive trading partners engaged in an automotive transaction including the additional limitation of "mapping the transaction element and the response transaction element with a mapping system, wherein the mapping comprises identifying the first trading partner, the second trading partner and an application to which the transaction element corresponds; managing the transaction element and the response transaction element with a transaction management system, wherein the managing step comprises tracking a status of the transaction element and the response transaction element; and securing the automotive information exchange system with a security system." (Claim 11, as amended herein.) This subject matter was previously recited in claim 12 (canceled herein).

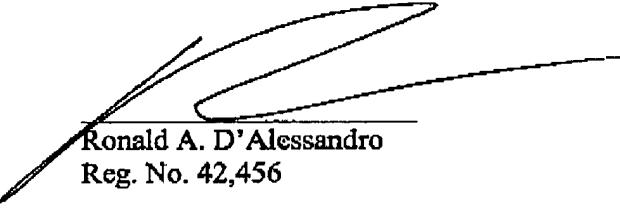
Applicants submit that Hamlin, EDI, and Burks fail to teach each and every element of the claimed invention, including the above-referenced feature. While Hamlin discloses "a method for exchanging information between processing systems" (Office Action, p. 7), the use of any suitable network or combination of networks (*Id.* p. 8), EDI teaches that "process driven industries such as retail distribution, automotive manufacture, and international logistics are sub areas of 'supply chain driven trading,'" which may be applied to the automotive industry (*Id.*, p. 7), and Burks discloses a method of routing a transaction element between trading partners utilizing different communication protocols (*Id.* p. 8), Applicant notes that none of these references teach the additional steps of "mapping the transaction element and the response transaction element with a mapping system, wherein the mapping comprises identifying the first trading partner, the second trading partner and an application to which the transaction element corresponds; managing the transaction element and the response transaction element with a transaction management system, wherein the managing step comprises tracking a status of the transaction element and the response transaction element; and securing the automotive information exchange system with a security system." (Claim 11.)

With respect to claims 14, 16, and 17, Applicants herein incorporate the arguments presented above with respect to claim 11 from which claims 14, 16, and 17 depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

**IV. CONCLUSION**

Applicants respectfully submit that the Application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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Date:

7/5/06

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